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NRC staff actions were taken in accordance with:

- The Memorandum of Understanding Between US NRC and FERC Regarding Treatment of Critical Energy/Electric Infrastructure Information found at: <https://www.nrc.gov/reading-rm/doc-collections/memo-understanding/2024/index.html>.
- The FERC definition of CEII found at: <https://www.ferc.gov/ceii>, and, <https://www.ferc.gov/enforcement-legal/ceii/designation-incoming-dam-safety-documents>.

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**COMMUNICATION PLAN FOR ISSUANCE OF CONFIRMATORY ACTION LETTER
TO DUKE FOR OCONEE UNITS 1, 2, AND 3
REGARDING THE IMPACT OF EXTERNAL FLOODING
JUNE 2010**

GOAL

The goal of this plan is to facilitate communication and coordination within the NRC, as well as facilitate consistency and quality of internal communications regarding activities associated with the issuance of a Confirmatory Action Letter (CAL) to implement the licensee response to the external flooding concerns associated with the Oconee Station. No external communications are planned due to the information being security related.

BACKGROUND

Due to its configuration on Lake Keowee, the Oconee three-unit site relies entirely on accident mitigation from the Standby Shutdown Facility (SSF) to provide RCP seal cooling, inventory control, and secondary side heat removal under several conditions including a site flood from rupture of the upstream Jocassee Pumped Storage Dam. In 2006, the staff using the Significance Determination Process (SDP) evaluated a performance deficiency of an unanalyzed opening made in the SSF rendering it vulnerable to external flood. The licensee appealed the finding twice. During a re-evaluation on the second appeal, the staff discovered that the licensee had erroneously computed a random Jocassee Dam rupture frequency that was significantly lower than what should have been based on actual data.

In the 1980s, the licensee had performed a flooding analysis which predicted a resultant flood height of [REDACTED] given Jocassee Dam rupture. This study was used to justify constructing a seismically qualified [REDACTED] flood protection wall around the entrance to the SSF and was incorporated into the FSAR becoming part of their licensing basis. In the early 1990s, due to a national response plan, the Federal Energy Regulatory Commission (FERC) with the licensee performed a flood analysis which predicted a flood height of between [REDACTED]. The purpose of the flood analysis was to determine population evacuation zones. In 1992, the licensee removed the [REDACTED] wall and Jocassee rupture flood protection references from their licensing basis using a potentially inappropriate argument. The original licensing basis flooding study which predicted a [REDACTED] flood height is not available. Only the latter FERC flood analysis is available which clearly demonstrates that the current wall does not provide adequate flood protection.

Previous Emergency Plans and licensee response to external hazards for the Oconee Station did not adequately address the flooding concerns associated with the potential failure of the Jocassee Dam. On August 15, 2008, the NRC issued a request for information pursuant to Title 10 of the Code of Federal Regulations (10 CFR) Part 50, Section 50.54(f) regarding the protection against external flooding at Oconee including a postulated failure of the Jocassee Dam.

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Duke responded to the NRC letter on September 26, 2008. The NRC staff reviewed the letter and found that the licensee had not provided sufficient information to demonstrate that Oconee will be adequately protected from external flooding events. Subsequently, on April 30, 2009, the NRC issued a letter to Duke requesting additional information to demonstrate that Oconee will be adequately protected from external flooding events. Duke replied by letter on November 30, 2009 with a revision to the flooding analysis. On January 15, 2010, Duke provided the details of new and additional compensatory measures to be implemented at both the Oconee Site and the Jocassee Dam. The January 15, 2010, letter also contained a schedule for the implementation of the compensatory measures. These measures are being implemented via the CAL addressed by this communication plan.

KEY MESSAGES

1. 50.54(f) letter for Oconee was sent to Duke on August 15, 2008 and communication with the licensee has been ongoing:
 - Duke letter to NRC on September 26, 2008
 - NRC letter to Duke on April 30, 2009
 - Duke letter to NRC on November 30, 2009
 - Duke letter to NRC on January 15, 2010
 - Various conference calls and public meetings
2. The licensee developed an action plan in response to the August 15, 2008 50.54(f) letter and the purpose of the CAL is to ensure the action plan is implemented as communicated to the NRC.
3. The licensee has begun physical modification at the Oconee site to mitigate the consequences of the potential Jocassee Dam failure.
4. The CAL confirms the licensee's commitments to implement corrective actions developed by the licensee in response to revisions to the flooding analysis.

STAKEHOLDERS

Internal

- Office of Public Affairs
- Office of Congressional Affairs
- Office of the General Counsel
- NRC Region II: DRP, DRS, ORA, State Liaison Office
- Office of Nuclear Reactor Regulation
- Office of Nuclear Security and Incident Response
- Office of Enforcement
- Office of the Executive Director for Operations
- The Commission

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External

- DHS/FEMA Headquarters; Region II
- FERC
- Congress
- State Liaison Officer (South Carolina)
- Public Citizen Groups
- Media Representatives
- Members of the Public
- FEMA

Point of Contact

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ACTION PLAN

The focus of the activities in this communication plan is to deliver key messages consistently to internal and external stakeholders

Sequence of Events

Time Sequence Goal	ACTION	Responsible Organization
Complete	Schedule meeting with Duke to discuss action plan	NRR/DORL
Complete	Produce draft CAL	Region II
Complete	Conduct telephone call with Duke to notify them of actions in the CAL in addition to the ICMs they submitted	Region II
Complete	Issue CAL to Duke	Region II

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Internal Communications

Complete development of Communication Plan and preparation of Communication Tools:

Time Sequence Goal	ACTION	Responsible Organization
06/15/10	Complete Communication Plan with Questions and Answers	NRR
6/21/10	Brief EDO and TAs on CAL	NRR
6/22/10	Notify Duke and RIs provide a hardcopy	Region II
6/22/10	Submit NRC Daily Note	Region II
	Respond to inquiries	Region II
End	Notify NRR (John Stang) that actions have been completed	Region II

External Communications

No external communication efforts are planned and NRC will not respond to public questions on this topic due to it being OOU- Security Related Information.

COMMUNICATION TOOLS

This Communication Plan and associated information will be provided to NRC management for use during internal communications. Information that will be prepared and maintained by the Communication Team includes key messages, talking points, and a bank of Questions and Answers for use in communicating with stakeholders. The decision was made that there would be no press release or public notifications due to the sensitive nature of the issue associated with the CAL.

No material is being developed for external release due to the sensitive nature of this issue. If it is determined that material needs to be developed for external release, it will be reviewed and approved by the NSIR Director of Emergency Preparedness Directorate to ensure accurate communication with external stakeholders

EVALUATION AND MONITORING

The following activities are planned:

- Monitor internal communications to ensure consistency with key messages or to determine if further information is needed, assess the degree of success that key messages and talking points had upon the target stakeholder audience
- Gather feedback on this plan and its implementation and assess the feedback to determine lessons learned that will be forwarded to NRC senior management, as appropriate.

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UPDATES AND REVISIONS

If major revisions are necessary to the plan or its key messages a formal revision will be made and the revision will be placed into ADAMS.

**QUESTIONS AND ANSWERS
FOR INTERNAL STAKEHOLDERS**

Q1. What is currently being done about the possibility that the Jocassee dam can fail which may create a problem for safely shutting down Oconee as opposed to the actions being required in the CAL?

A1. Duke has already begun some of its compensatory measures to deal with the potential for a Jocassee dam failure including:

- Staging of equipment to operate the Jocassee spillway gates
- Installing condition monitoring equipment for the Keowee spillway gates
- Increasing awareness of dam status
- Increasing frequency of inspection and monitoring of Jocassee dam
- Flood barrier construction is in progress

Q2. Why is the NRC requiring additional mitigating action to be taken only now considering the fact that Oconee has been operating for over 30 years with the Jocassee dam in its current condition?

A2. During the Significant Determination Process of a performance deficiency of a breached flood barrier to the Oconee standby shutdown facility, the NRC discovered that the licensee had been erroneously using a significantly lower random Jocassee Dam rupture frequency. In other words, the potential risk of the Jocassee Dam was initially under estimated and the error was only discovered when looking at the risk of another related event. The probability of the event is still very low, but it is now high enough that the threshold requiring preventative or mitigating actions has been met.

Q3. Why is the NRC requiring compliance with the response to a 50.54(f) letter in the form of a confirmatory action letter?

A3. It is very important to be able to safely shut down the reactor, including when flooding occurs. As a result, the NRC has decided to require the licensee action with a CAL to ensure that adequate changes are made within an appropriate time frame.

Q4. Why is the NRC permitting operation of the three Oconee units when it has concerns about the facility's ability to withstand external floods?

A4. The intent of this CAL is to require the licensee to perform additional corrective measures to increase the assurance that the reactors can be safely shut down following the very remote possibility of the Jocassee Dam failure. The current operating risk is

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considered to be very small, but based on the new analysis it is prudent to take additional actions required by this order.

- Q5. Why aren't the temporary water diversion walls that Oconee is building discussed in this CAL?**
- A5. We recognized that it would be premature and inappropriate to identify or speculate on design modifications to address flooding (e.g., there is no reference to the use of flood walls).

**QUESTIONS AND ANSWERS
FOR EXTERNAL STAKEHOLDERS**

All queries from external stakeholders will be answered with “The subject of this CAL involves security related information which we can't discuss.”